

In contrast, Beger provides a rest pad that has raised perimeters that are adjustable to fit various sized cribs or play pens, to provide a small diaper changing area or a larger play area. The adjustment is accomplished by attachment seams 4a-4d constructed as predetermined bending boundaries so that each of the loops 3 can be folded inward towards bottom 2. (Beger, Col. 3, lines 51-53). Since Berger fails to teach or suggest Applicant's invention as set forth in Claim 1, Claim 1 is allowable.

Claim 15 sets forth at least two support members coupled to a portion of a conforming member to define a torso area thereon. As set forth in Claim 15, "each of the support members configured to be moved from a first position where said substantially conforming member is draped over a portion of at least one of said support members to define a first size of said torso area to a second position where said substantially conforming member is wrapped around at least one of said support members to define a second size of said torso area." Applicants could find no teaching or suggestion in Beger for at least two support members configured to allow the conforming member to be wrapped around the support members to vary the size of the torso area. For at least this reason and for reasons state above with regard to Claim 1, Claim 15 is allowable.

Claim 18 is a method claim which set forth:

rolling a portion of said conformable member around at least one support member to cause said first torso area to change in size from a first size to a second size; and

moving the infant from the first posture to a second posture in response to said rolling a portion of said conformable member around said at least one support member.

Applicants could find no teaching or suggestion of rolling a portion of a conformable member around a support member and in addition, no teaching or suggestion for moving the infant in response to the rolling. For this reason and for reasons given above with regard to Claims 1 and 15, Claim 18 is allowable.

Claims 2-11 and 13-14 depend from Claim 1 and are allowable for at least the same reasons as Claim 1 as well as for the novel features which they add. Claims 16 depends from Claim 15 and is allowable for at least the same reasons as Claim 15 as well as for the novel features which it adds.

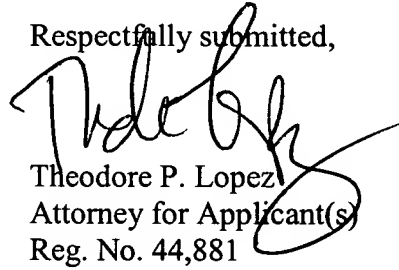
CONCLUSION

For the above reasons, pending claims 1-11, 13-16 and 18 are now in condition for allowance and allowance of the application is hereby solicited. If the Examiner has any questions or concerns, the Examiner is hereby requested to telephone Applicant's Attorney at (949) 718-5200.

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Respectfully submitted,



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ATTACHMENT A

1. (Twice Amended) A device for supporting and positioning a neonate, the device comprising:

a conformable member; and

a plurality of support members coupled to the conformable member, each support member configured to be [being] moveable from a first position where said conformable member is draped over a portion of said support member to define a first torso area to a second position where said conformable member is wrapped around said support member to define a second torso area, said support members when in said second position providing support to said neonate when said neonate is placed on said conformable member to facilitate the re-positioning of the neonate.

9. (Amended) The device of Claim 1, wherein the plurality of support members comprises a pair of lateral support members coupled substantially along opposing lateral edges of [, the pair of support members defining a torso area on] the conformable member.

Please cancel Claim 12.

13. (Amended) The device of Claim 1, wherein [movement of at least one of] the plurality of support members are configured to allow[s] the position of the neonate to vary from a first posture when in said first position to a second posture when in said second position.

15. (Twice Amended) A positioning device for positioning an infant, the device comprising:

a substantially conforming member;

at least two support members coupled to a portion of said conforming member to define a torso area thereon, each of said support members configured to be moved [being moveable] from a first position where said substantially conforming member is draped over a portion of at least one of said support members to define a first size of said torso area to a second position where said substantially conforming member is wrapped around at least one

of said support members to define a second size of said torso area, movement of at least one support member configured to cause [capable of causing] the position of the neonate to vary from a first posture to a second posture in response to the movement.

Please cancel Claim 17.

18. (Twice Amended) A method for repositioning an infant, the method comprising:

placing an infant on a conformable member defining a first torso area in a first posture; **[and]**

rolling a portion of said conformable member around [manipulating a] at least one support member [between a first position and a second position] to cause said first torso area to change in size from a first size to a second size; and

moving the infant [to move] from the first posture to a second posture in response to said rolling a portion of said conformable member around said at least one support member.

Please cancel Claim 19.

Please cancel Claim 21.